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OFFICIAL

PATENT

Attorney Docket No.: VPHAR1460-2
(071243-1301)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Desai *et al.*

Application No.: 09/446,783

Confirmation No: 2878

Filing Date: May 16, 2000

For: NOVEL PACLITAXEL-CONTAINING
FORMULATIONS, METHODS FOR
PREPARATION AND METHODS FOR
USE

Group Art Unit: 1616

Examiner: Hartley, Michael G.

CERTIFICATE OF FACSIMILE TRANSMISSION
I hereby certify that this paper is being facsimile transmitted to
the United States Patent and Trademark Office, Washington,
D.C., on the date below.

Stephen E. Reiter

Name of person mailing paper

Stephen E. Reiter
Signature

November 3, 2003

Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED DOMESTIC
PRIORITY CLAIM UNDER 37 C.F.R. § 1.78(a)(3)**

Sir:

Pursuant to 37 C.F.R. § 1.78(a)(3), Applicants hereby petition for acceptance of an unintentionally delayed claim for domestic priority. This application is a continuation of U.S. Provisional Application No. 60/051,021, filed 27 June 1997, now abandoned, and is a 371 of PCT/US98/13272, filed 26 June 1998, which is a continuation-in-part of U.S. Patent Application Serial No. 08/926,155, filed 9 September 1997, now U.S. Patent No. 6,096,331, which is a continuation-in-part of U.S. Patent Application Serial No. 08/720,756, filed 01 October 1996, now U.S. Patent No. 5,916,596, which is a continuation-in-part of U.S. Patent Application Serial No. 08/412,726, filed 29 March 1995, now U.S. Patent No. 5,560,933, which is a divisional of U.S. Patent Application Serial No. 08/023,698, filed 22 February 1993, now U.S. Patent No. 5,439,686. U.S. Patent No. 6,096,331 is also a continuation-in-part of U.S. Patent Application Serial No. 08/485,448, filed 07 June 1995, now U.S. Patent No. 5,665,382, which is a continuation-in-part of U.S. Patent Application Serial No. 08/200,235, filed 22 February 1994, now U.S. Patent No. 5,498,421, which is a continuation-in-part of U.S. Patent Application Serial

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OFFICE OF PETITIONS

Application No.: 09/446783

Attorney Docket No.: VPHAR1460-2

Filing Date: May 16, 2000

(071243-1301)

Response to Office Action mailed 07/01/2003

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No. 08/023,698, filed 22 February 1993, now U.S. Patent No. 5,439,686, and is a continuation-in-part of U.S. Patent Application Serial No. 08/035,150, filed 26 March 1993, now U.S. Patent No. 5,362,478. The benefit of the filing date of the above-listed U.S. Patent Applications is hereby requested, and the right of priority provided in 35 U.S.C. §120 is hereby claimed.

The entire delay from the date the claim was due under 37 C.F.R. §1.78(a)(2) to the present was unintentional. An Application Data Sheet is being submitted concurrently herewith to correct the Domestic Priority Information.

This Petition is accompanied by the requisite surcharge under 37 C.F.R. §1.17(t). Please charge Deposit Account 50-0872 in the amount of \$1300.00 for the patent petition fee under 1.17(t).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

A duplicate copy of this paper is enclosed.

Granting of this petition is respectfully requested.

Application No.: 09/446783
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Page 2 of 2

Attorney Docket No.: VPHAR1460-2
(071243-1301)

No. 08/023,698, filed 22 February 1993, now U.S. Patent No. 5,439,686, and is a continuation-in-part of U.S. Patent Application Serial No. 08/035,150, filed 26 March 1993, now U.S. Patent No. 5,362,478. The benefit of the filing date of the above-listed U.S. Patent Applications is hereby requested, and the right of priority provided in 35 U.S.C. §120 is hereby claimed.

The entire delay from the date the claim was due under 37 C.F.R. §1.78(a)(2) to the present was unintentional. An Application Data Sheet is being submitted concurrently herewith to correct the Domestic Priority Information.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Granting of this petition is respectfully requested.

If there are any questions regarding the present filing, please contact the undersigned attorney at the phone number listed below.

Respectfully submitted,

Date: November 3, 2003

FOLEY & LARDNER
Customer Number: 30542
Telephone: (858) 847-6719
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By: 

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

Enclosures: Application Data Sheet

Application No.: 09/446783
Filing Date: May 16, 2000
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Attorney Docket No.: VPHAR1460-2
(071243-1301)

Amendments to the Specification

Please insert the following before the first line of the specification:

RELATED APPLICATIONS

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This application is a continuation of U.S. Provisional Application No. 60/051,021, filed 27 June 1997, now abandoned, and a 371 of PCT/US98/13272, filed 26 June 1998, which is a continuation-in-part of U.S. Patent Application Serial No. 08/926,155, filed 9 September 1997, now U.S. Patent No. 6,096,331, which is a continuation-in-part of U.S. Patent Application Serial No. 08/720,756, filed 01 October 1996, now U.S. Patent No. 5,916,596, which is a continuation-in-part of U.S. Patent Application Serial No. 08/412,726, filed 29 March 1995, now U.S. Patent No. 5,560,933, which is a divisional of U.S. Patent Application Serial No. 08/023,698, filed 22 February 1993, now U.S. Patent No. 5,439,686. U.S. Patent No. 6,096,331 is also a continuation-in-part of U.S. Patent Application Serial No. 08/485,448, filed 07 June 1995, now U.S. Patent No. 5,665,382, which is a continuation-in-part of U.S. Patent Application Serial No. 08/200,235, filed 22 February 1994, now U.S. Patent No. 5,498,421, which is a continuation-in-part of U.S. Patent Application Serial No. 08/023,698, filed 22 February 1993, now U.S. Patent No. 5,439,686, and is a continuation-in-part of U.S. Patent Application Serial No. 08/035,150, filed 26 March 1993, now U.S. Patent No. 5,362,478, the contents of each of which are hereby incorporated by reference in their entirety.

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Representative Information

Representative Customer Number::	30542	
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Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	Continuation of	60/051,021	06/27/1997
This Application	National Stage of	PCT/US98/13272	08/28/1998
PCT/US98/13272	Continuation-in-part of	08/926,155	09/09/1997
08/926,155	Continuation-in-part of	08/485,448	08/07/1995
08/485,448	Continuation-in-part of	08/200,235	02/22/1994
08/200,235	Continuation-in-part of	08/023,698	02/22/1993
08/200,235	Continuation-in-part of	08/035,150	03/26/1993
08/926,155	Continuation-in-part of	08/720,756	10/01/1996
08/720,756	Continuation-in-part of	08/412,726	03/29/1995
08/412,726	Division of	08/023,698	02/22/1993

Foreign Priority Information